# IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA INDIANAPOLIS, INDIANA

MONICA RICHARDS	)
Plaintiff,	) )
v.	) Cause No.: 1:21-cv-2335
OAKLAND CITY UNIVERSITY, FOUNDED BY GENERAL BAPTISTS,	) ) )
INC.  Defendant.	)

# COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, name-above, complains of act and omissions by the Defendant. In support of her Complaint and as cause of action against the Defendant, Plaintiff respectfully submits the following:

# **JURISDICTION**

1. This suit is authorized and instituted pursuant to the Family and Medical Leave Act ("FMLA"), 29 U.S.C. § 2601, et seq. 28 U.S.C. §§ 1331 and 1343.

#### **PARTIES**

- 2. Plaintiff is an African-American female and at all relevant times she resided in the Southern District of Indiana.
- 3. Defendant is a corporation doing business in the State of Indiana in the Southern District of Indiana.

#### **FACTS**

- 4. Plaintiff began working for the Defendant in April of 2016.
- 5. Plaintiff performed her job well.

- 6. In March of 2020, Plaintiff was employed within the Indiana Women's Prison.
- 7. During the first week of March, Defendant suspended classes for inmates but required employees to still work within the prison.
- 8. Defendant emailed employees stating that due to the pandemic, employees can take paid time off with their vacation time or unlimited unpaid time off, but gave no further details.
- 9. Plaintiff was exposed to Covid-19 while in the prison, but was not allowed to quarantine or get tested for Covid-19.
- 10. Plaintiff was concerned for her young daughter's safety and requested stated she would take unpaid time off.
  - 11. Defendant placed Plaintiff on FMLA.
- 12. In June of 2020, Plaintiff's supervisor stated that they were reopening the prison and wanted her to return to work.
- 13. However, they informed Plaintiff that her job was no longer available and she would have to work at a different location.
- 14. On June 14, 2020, Plaintiff received an email stating that she had been on FMLA, and that her paid FMLA would end on July 23, 2020.
- 15. On July 15, 2020, Plaintiff received an email stating that she was terminated because her FMLA was exhausted and she did not intend to return to work.
  - 16. Plaintiff was terminated for engaging in protected activity.
  - 17. Defendant interfered with Plaintiff's FMLA rights.

#### **COUNT I**

- 18. Plaintiff incorporates by reference paragraphs 1-17.
- 19. Defendant, as a result of interfering with Plaintiff's FMLA rights, violated the Family and Medical Leave Act ("FMLA"), 29 U.S.C. § 2601, et seq.

# **COUNT II**

- 20. Plaintiff incorporates by reference paragraphs 1-17.
- 21. Defendant, as a result of terminating Plaintiff for engaging in protected activity, violated the Family and Medical Leave Act ("FMLA"), 29 U.S.C. § 2601, et seq.

  WHEREFORE, Plaintiff respectfully requests that the Court grant the following
  - A. Award Plaintiff back pay and benefits lost;

relief:

- B. Award Plaintiff compensatory damages for future pecuniary loss, emotional pain and suffering, inconvenience, mental anguish and loss of enjoyment of life;
- C. Award Plaintiff punitive damages;
- D. Award Plaintiff liquidated damages;
- E. Award Plaintiff her cost in this action and reasonable attorney fees;
- F. Grant Plaintiff any other relief which is allowable under the circumstances of this case.

Respectfully Submitted

s//Sarah E. Larimer

Sarah E. Larimer 36230-29 Attorney for Plaintiff

# REQUEST FOR JURY TRIAL

Comes now the Plaintiff and requests that this cause be tried by a jury.

Respectfully Submitted

s//Sarah E. Larimer

Sarah E. Larimer 36230-29 Attorney for Plaintiff

Sarah E. Larimer 36230-29 Amber K. Boyd Attorney at Law 8510 Evergreen Avenue Indianapolis, in 46240 (317) 210-3416